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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Cox et al.	Examiner: William Miller
Appln. No.: 10/775,746	Group Art Unit: 3677
Filing Date: February 10, 2004	Docket No. Cox-1
Title: <i>METHOD FOR CUSTOMIZING A BURIAL VAULT CARAPACE</i>	

Mail Stop No Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE
U.S. PATENT AND TRADEMARK OFFICE (FAX NO. (571) 273-8300), ON
SEPTEMBER 28, 2005.

TYPED OR PRINTED NAME OF PERSON SIGNING THIS CERTIFICATE:
Marty Cox

Declaration of Marty Cox

I, Marty Cox, am one of the named inventors. I respectfully disagree with the Examiner's assertion that it would have been obvious to modify a carapace as disclosed by the Pazar reference (U.S. Publication 2003/0167706) to incorporate aspects of the Takemoto patent (U.S. 4,219,596). I submit that the invention, as embodied in the claims, was not obvious at the time of the invention. If it had been obvious, someone would have previously made it. Prior to our invention, no one had previously applied a decorative substrate to a carapace as recited in the pending claims. Prior to our invention, the carapace was merely a bland, undecorated slab of concrete.

I submit that the commercial success and media interest in the invention, as embodied in the claims, are evidence of the non-obviousness of the claimed invention. I enclose a Newsweek article published in February 21, 2005 regarding our invention.

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We identified a need in the market which had not previously been tapped. Prior to our invention, no one was even aware that there was an unmet need. Our solution to this need is technically simple, but novel and non-obvious.

As further evidence of the non-obviousness of our invention we note that the invention is now being copied by a number of our competitors.

Thus far this year we have sold over 4000 units of a kit embodying the claimed invention. In fact demand for our invention continues to grow.

All of the statements herein are based on information and belief, and are believed to be true.

I acknowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 USC 1001) and may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,



Marty Cox
415 E. Dixon St.
Polo, IL 61064